



Issuance Date: March 8, 2000
Effective Date: July 1, 2000
Expiration Date: June 30, 2004

STATE WASTE DISCHARGE PERMIT NO. ST 6180

State of Washington
DEPARTMENT OF ECOLOGY
Southwest Regional Office
P.O. Box 47775
Olympia, Washington 98504-8711

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

J.M. Martinac Shipbuilding Corporation
401 East 15th Street
Tacoma, Washington 98421

Facility Location:
401 East 15th Street
Tacoma, Washington 98421

Latitude: 47° 15' 00" N

Longitude: 122° 25' 27" W

Outfall 001: From discharge of oil & water into
the infiltration basin.

Industry Type:
Ship construction and repair

SIC Code:
3731

to discharge stormwater into the groundwater in accordance with the special and general conditions which follow.

Original signed by:

David B. Jansen, P.E.
Toxics Cleanup Program
Southwest Regional Office
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions sections of this permit for unscheduled submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly	See S3A
S4	Submit Best Management Practices (BMPs) plan for the entire operation, stormwater collection/treatment system operating and maintenance manual, and solid, liquid waste and spill control plans	90 days after effective date of this permit, after that update annually	90 days after effective date of this permit, update every year in January
S2.D.	Submit Groundwater Monitoring Sampling/Testing Plan	30 days after effective date of this permit	30 days after effective date of this permit
S2.D.	Submit Groundwater Monitoring Results	Yearly	July 1, 2001
G7	Application for permit renewal and provide analysis of groundwater monitoring data	1/permit cycle	At least 180 days before permit expiration

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

A. Stormwater – Outfall 001

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge stormwater to the infiltration basin at the permitted location subject to the following limitations:

	EFFLUENT LIMITATIONS
Parameter	Monthly Average ^a
Oil and Grease (mg/L)	10
Total Copper (mg/L)	0.09
Total Zinc (mg/L)	1.330
pH (standard units)	within the range of 6.5 to 8.5

^aThe average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

S2. MONITORING REQUIREMENTS

A. Stormwater – Outfall 001

The sampling point for the stormwater will be after the oil/water separator, prior to release to the infiltration basin. The Permittee shall monitor the stormwater according to the following schedule:

Parameter	Sampling Frequency	Sample Type
Oil and Grease ^a	Monthly ^c	Grab
Total Copper ^b	Monthly ^c	Grab
Total Zinc ^b	Monthly ^c	Grab
pH	Monthly ^c	Grab

^aOil and grease shall be monitored using method number 1664.

^bThe MDL for copper shall be 0.001 mg/L using graphite furnace atomic absorption spectrometry (GFAA) method number 220.2. The MDL for zinc shall be 0.002 mg/L using ICP method number 200.7. The quantitation level (QL) shall be five times the MDL for each metal analyzed. The Permittee may request approval for alternative analytical procedures which will provide the same or lower MDLs and QLs to those

described herein. The stormwater sample each month will be taken to represent the first flush stormwater runoff from the site.

^c If after the first year of monitoring the permittee is in compliance with the requirements in Section S1A, the permittee may make a request in writing to reduce monitoring to monthly during November-April and quarterly monitoring during May-October. Ecology will review the discharge monitoring data and make a determination on reducing the monitoring requirements. The monitoring frequency will be reduced following written notification from Ecology.

B. Receiving water in the Marine Ways

Receiving water in the marine ways shall be monitored to provide information on the impacts of activities conducted in the marine ways on receiving water. The sample shall be collected in the receiving water from the central portion of the downstream end of the way during the high water slack tide. "Each use" refers to a frequency of one sample for each day the way is being used for sandblasting or painting of vessels.

Marine Ways 1 and 2

Parameter	Sample Frequency	Sample Type
Oil and Grease	Each use	Grab
Total Suspended Solids	Each use	Grab
Copper	Each use	Grab
Zinc	Each use	Grab

Oil and grease shall be monitored using method number 1664.

The MDL for copper shall be 0.001 mg/L using graphite furnace atomic absorption spectrometry (GFAA) method number 220.2. The MDL for zinc shall be 0.002 mg/L using ICP method number 200.7. The quantitation level (QL) shall be five times the MDL for each metal analyzed. The Permittee may request approval for alternative analytical procedures which will provide the same or lower MDLs and QLs to those described herein.

C. Infiltration Basin Bypass Monitoring

In the event of a bypass of infiltration basin by stormwater and discharge of stormwater into the surface water (Thea Foss Waterway), the Permittee shall record the date, time and duration of the discharge event immediately upon obtaining knowledge. If the event occurs during non-business hours, the Permittee shall verbally report the release to the Department of Ecology (Department) within 24 hours. For discharges occurring during business hours, the Permittee shall take one grab sample of the stormwater discharging into the surface water and submit it for analysis to all the parameters listed in S2.A (except flow). A written report on the discharge, including the results of the chemical analyses (for discharges occurring during normal business hours) and a detailed description of the cause of the discharge event, shall be submitted to the Department within thirty (30) days of the event or, if samples are taken, with the next monthly monitoring report following receipt of the chemical analyses.

D. Groundwater Monitoring Wells

The three groundwater monitoring wells will be monitored semi-annually for total suspended solids, oil and grease, zinc (dissolved and total), and copper (dissolved and total). At the end of five years, groundwater monitoring results will be evaluated to determine the background concentration of parameters of concern in this permit and down-gradient groundwater monitoring results will be used to evaluate the impact of infiltration of stormwater into the groundwater. Submit groundwater monitoring results yearly.

E. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the stormwater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department.

F. Flow Measurement

Flow would be calculated from the yearly rainfall and runoff data and submitted to Department annually.

G. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, pH, and internal process control parameters are exempt from this requirement. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted quarterly. Quarterly Monitoring results obtained during the previous three (3) months shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The

report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

If after the first year of monitoring the permittee is in compliance with the requirements in Section S1A, the permittee may make a request in writing to reduce monitoring from monthly to monthly during November-April and quarterly during May-October. Ecology will review the discharge monitoring data and make a determination on reducing the monitoring requirements. Monthly monitoring may be reduced following written notification from Ecology.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department with the Permittee's next monitoring report following receipt of the chemical analysis.
3. Immediately notify the Department of the failure to comply. Immediate notification for violations of numeric effluent limitation in Special Conditions S1.A. can be satisfied by reporting the violation on the Permittee's next monthly monitoring report following receipt of the chemical analysis; and

4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information. Such report may be submitted with the Permittee's next monthly monitoring report following receipt of the chemical analysis.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

A. Operations and Maintenance Manual

An Operation and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department for approval no later than 90 days after the effective date of this permit. The O&M Manual shall be reviewed by the Permittee at least annually. The Permittee shall confirm the review by letter and/or a manual update to the Department. All manual changes or updates shall be submitted to the Department whenever they are incorporated into the manual. The approved operation and maintenance manual shall be kept available at the permitted facility.

The O&M Manual shall contain the treatment plant process control monitoring schedule. All operators shall follow the instructions and procedures of this manual.

The manual shall include:

1. Treatment vault, infiltration system and infiltration system operational controls and procedures;
2. Emergency procedures for plant shutdown and cleanup in event of stormwater system upset or failure;
3. Plant maintenance procedures.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system. Reporting requirements for overflows are governed by Special Condition S2.C. of this permit.

The bypass of wastes from any portion of the treatment system, other than overflows caused by greater than two years, 24 hour storm events, is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass* -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would

cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions* -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall apply to the Department for the administrative order at least 30 days before the planned date of bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternative to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass may be by administrative order issued by the Department under Revised Code of Washington (RCW) 90.48.120.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

C. Infiltration:

1. Runoff from the industrial areas of the facility shall be controlled to prevent to the maximum extent practicable the discharge to any surface waters of the state or to any land not owned by or under control of the Permittee. Building roof areas are not considered industrial areas.
2. The stormwater shall not be applied to the infiltration basin in quantities that:
 - a. Significantly reduce or destroy the long-term infiltration rate of the soil.

- b. Would cause long-term anaerobic conditions in the soil.
- c. Would cause leaching losses of pollutants beyond the treatment zone or in excess of the approved design.

S5. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The permit authorizes discharge of leachate from solid waste material to enter the stormwater collection system, which eventually infiltrates into the groundwater .

C. Solid Waste Control Plan

The Permittee shall submit to the Department all proposed revisions or modifications to the solid waste control plan. The Permittee shall comply with any plan modifications.

S6. SPILL CONTROL PLAN

For the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Permittee shall review and update the Spill Plan, as needed, at least annually. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.

A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

A list of all oil and chemicals used, processed, or stored at the facility, which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals required by 40 CFR Part 112, and contingency plans required by Chapter 173-303 WAC may be submitted.

S7. BEST MANAGEMENT PRACTICES FOR MARINE WAYS AND ENTIRE YARD OPERATIONS

An updated BMP plan shall be submitted within 90 days after effective date of this permit to Department for review and approval.

A. Control of Large Solid Materials

Floatable and low density waste such as wood, plastic, as well as miscellaneous trash (e.g., paper, insulation, and packaging) shall be removed from the marine ways before launching.

B. Control and Cleanup of Paint Dust and Abrasive Blasting Debris, Paint, and Dust

Dust and overspray shall be prevented from falling into the water to the maximum extent feasible during abrasive blasting and spray painting of vessels and modules. Feasible methods of control include plastic barriers beneath the hull, between the hull and the overhead structures of the marine ways; plastic barriers hung from the bow or stern of the vessel or from temporary structures erected for that purpose.

The bottom edge of tarpaulins and plastic sheeting shall be weighted to remain in place during a light breeze. When sandblasting vessel superstructures, plywood, and/or plastic sheeting shall be used to cover openings and open areas between decks, including, but not limited to, scuppers, railings, freeing ports, ladders, and doorways.

Consideration shall also be given to other feasible innovative procedures as appropriate to improve the effectiveness of controls.

No blasting or painting shall be performed while vessels are docked pier-side such that material is discharged to the surface water.

Cleanup of spent paint, paint chips, protective coating materials, and abrasives shall be undertaken as part of the repair or production activities, to the extent technically feasible, to prevent their entry into state waters.

Mechanical cleanup may be accomplished by mechanical sweepers, front end loaders, vacuum cleaners, or other innovative equipment. Manual methods include the use of shovels and brooms. Those portions of the way floor which are reasonably accessible shall be "scraped or broomed clean" to remove spent abrasive. The yard shall be cleaned on a regular basis to minimize the possibility that runoff will carry sandblasting material or other debris into the receiving water. There shall be no visible sheen created by any floating detritus resulting from abrasive blasting. Collected sandblasting debris shall be stored with the spent grit. The spent sandblasting grit, dust, and other debris shall not accumulate to an extent that could be judged to be more than a minor deposition by vehicular or pedestrian traffic between regular cleanup efforts.

Innovations and procedures which improve the effectiveness of cleanup operations shall be adopted where they are feasible, appropriate, and can be demonstrated as preventing the discharge of solids to the water.

C. Oil, Grease, and Fuel Spills

Oil, grease, or fuel spills shall be prevented from reaching drainage systems or surface waters. Cleanup shall be carried out promptly after an oil, grease, or fuel spill is detected. Oil containment booms and absorbents shall be conveniently stored so as to be immediately deployable in the event of a spill.

D. Accidental Oil Discharge Response

No discharge of oil or hazardous material to state waters is permitted, except as specifically authorized in this permit. In the event of an accidental discharge of oil or hazardous material into waters of the state or onto land with a potential for entry into state waters, representatives of this Department and the United State Coast Guard shall be notified immediately.

1. Cleanup efforts shall commence immediately and be completed as soon as possible, taking precedence over normal work, and shall include proper disposal of any spilled material and used cleanup materials.
2. Cleanup of oil/hazardous material spills shall be in accordance with an approved Spill Prevention and Countermeasure Plan.
3. No emulsifiers or dispersants are to be used in waters of the state without approval from the Director of the Department.

E. Paint and Solvent Spills

Paint and solvent spills shall be treated as oil spills and segregated from discharge water. Spills shall be contained until cleanup is complete. Mixing of paint shall be carried out in locations and under conditions such that no spill shall enter state waters.

The amount of paint stored on the floor of the marine way shall be kept to a minimum not exceeding the usage of one work shift by utilizing a timely delivery schedule.

F. Maintenance of Hoses and Piping

Leaking connections, valves, pipes, and hoses carrying either water or stormwater shall be replaced or repaired immediately. Hose connections to vessels and to receiving lines or containers shall be tightly connected and as leak free as practicable.

G. Bilge and Ballast Water

Bilge and ballast water is pumped out of vessels by an outside contractor and disposed of offsite. The records of disposal shall be kept in the facility.

H. Chemical Storage

Solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions, and waste materials, including used batteries, shall be stored in a manner which will prevent the inadvertent entry of these materials into waters of the state, including ground waters.

Storage shall be in a manner that will prevent spillage by overfilling, tipping, or rupture. In addition, the following practices shall be used:

1. All liquid products shall be stored on durable impervious surfaces and behind berms.
2. Waste liquids shall be stored under cover, such as tarpaulins or roofed structures or in a closed vessel.
3. Incompatible or reactive materials shall be segregated and securely stored in separate containment areas that prevent mixing of chemicals.
4. Concentrated waste or spilled chemicals shall be transported off-site for disposal at a facility approved by the Department of Ecology or appropriate county health department in accordance with the solid waste disposal plan requirements of Special Condition S4. These materials shall not be discharged to any sewer or state waters.

I. Drip Pans

Drip pans or other protective devices shall be required for all oil transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums, or barrels.

J. Paint and Solvent Mixing

The mixing of paints and solvents shall be carried out in locations and under conditions such that no spill shall enter state waters.

1. Drip pans or other protective devices shall be required for all paint mixing and solvent transfer operations, unless the mixing operation is carried out in controlled areas away from storm drains, surface waters, shorelines, and piers. Drip pans, drop cloths, or tarpaulins shall be used wherever paints and solvents are mixed on wood docks. Paints and solvents shall not be mixed on floats.
2. When painting from floats, paint shall be in cans of five gallons or less and the amount of paint in the container shall be limited to two gallons or less. The paint containers shall be kept in drip pans with drop cloths or tarpaulins underneath the drip pans.
3. Paint and solvent spills shall be treated as oil spills and shall be prevented from reaching storm drains or deck drains and subsequent discharge into the water.

S8. OTHER REQUIREMENTS

A. Sanitary Sewage and Steamcleaning Wastewater

Sanitary sewage and wastewater from steamcleaning operations are to be discharged into the sanitary sewers.

B. Sewage, Gray Water, and Other Specific Discharges Prohibited

Owners of vessels in ways or under repair dockside shall be notified in writing by the Permittee that federal and state regulations prohibit the discharge of sewage (including discharges from the ship's galley while at dockside) into the waterways. If untreated sanitary wastes from vessels are to be discharged, the discharge shall be to either the sanitary sewer or into holding tanks that are periodically emptied into a sanitary sewer system. The Permittee will make available at all times a list of contractors providing disposal services and any other alternatives available for complying with these regulations such as holding tanks and pump-out facilities.

C. Storm Drain Sediment and Grit Removal

This permit requires the cleanout of storm drain lines at a minimum of once per year to ensure the interception and retention of solids entering the drainage system. A storm drain record must be maintained to show all information pertaining to the storm drain cleanout program.

D. Reopener

The Department may reopen this permit on the basis of monitoring results or other causes consistent with state and federal regulations, to modify or establish specific monitoring requirements, effluent limitations, or other conditions in the permit.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection.

Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any stormwater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department.
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.